

MINUTES OF THE UNIVERSITY OF LIVERPOOL COUNCIL

**MEETING HELD AT 1PM, ON 24 MAY 2024
DERBY SUITE, FOUNDATION BUILDING, UNIVERSITY OF LIVERPOOL**

Present:	Carmel Booth, President (in the Chair); Hans van Mourik Broekman, Vice-President; Professor Tim Jones, Vice-Chancellor; Professor Julia Balogun; Professor Richard Black, Provost and Deputy Vice-Chancellor; Cilla Ankrah-Lucas (until item 12); Dr Alison Campbell (via Zoom, until item 12); Fiona Cullen (via Zoom); Dr Kashmir Gill (via Zoom); Helen Miller; Mark Proctor; Matthew Reed; Vasiliki Samuels, President of the Liverpool Guild of Students; Dr Diana Walford; Professor Hazel Scott; Professor Thomas Teubner; and Kathryn Manley, Vice-President of the Liverpool Guild of Students.
Apologies:	Dr Mark Carawan; Barry Flynn; Vanessa Griffiths; and Kieran O’Sullivan.
In Attendance:	Professor Gavin Brown, Pro-Vice-Chancellor for Education; Nicola Davies, Chief Financial Officer; Professor Anthony Hollander, Pro-Vice-Chancellor for Research and Impact; Kevan Ryan, Clerk to Council/University Secretary and General Counsel; and Mike Edge, Governance, Compliance and Regulatory Manager, Secretary.

COMMITTEE AND MEMBERSHIP MATTERS

1. Phil Leonard

Council was extremely saddened at the sudden passing of Phil Leonard, Head of Student Administration. Council members’ thoughts were with Emma Leonard, Head of Governance and Deputy Secretary, and their family.

2. Disclosures of Interest

Members were asked to disclose any interest that could give rise to conflict in relation to any item on the agenda. No such interests were disclosed.

3. Minutes of Previous Meeting

3.1 Minutes of the Meeting Held on 6 February 2024

RECEIVED and AGREED:

- i. The minutes of the meeting held on 6 February 2024 should be approved.

3.2 Record of the Away Day Held on 10 April 2024

RECEIVED and AGREED:

- i. The record of the Council Away Day held on 10 April 2024 should be approved.

4. Report on Action Taken by the President on Behalf of Council and Business Dealt with by the Pensions Sub-Group

RECEIVED:

- i. A report on action taken by the President on Council's behalf, and business dealt with by the Pensions Sub-Group since the last business meeting.

REPORTED:

- ii. The President had taken Chair's action as follows:
 - a. To approve the appointment of the University Director of Campus Planning and Development as a Director of the ULCCO SP Board.
 - b. To approve the appointment of David Blair and Cameron Hill as lay members of the Central University Research Ethics Committee for an initial period of one year.
 - c. To approve the revised IP Policy and associated Spinout Guidelines which had been recommended for approval by F&R and Senate.
 - d. To approve the University Group Director of Property and Campus Services, as a Director of both the ULCCO SP and ULEC Boards.
 - e. To approve the following (non Council) lay member appointments:
 - Mark Stewart as an independent member of the Remuneration Committee with immediate effect until 31 July 2027
 - Adrian Maxwell as a lay member of the Investments Sub-Committee for the period from 1 August 2024 to 31 July 2027
 - Ian Bakewell as a lay member of the Investments Sub-Committee for the period from 1 August 2024 to 31 July 2027.
- iii. Since the last business meeting of Council, the following matters had been dealt with by the Pensions Sub-Group:

University of Liverpool Pension Fund (ULPF) Pension Increases 2024

The Pensions Sub-Group was consulted via email on the proposed pensions increases from April 2024. The paper recommended that the following increases be granted:

ULPF Discretionary increase

- To grant a one-off consolidated increase of 5% of the pre 6 April 1997 element in excess of the GMP.

Ex-Gratia discretionary increase

- To grant a one off consolidated increase of 5% of an individual's pension.

In terms of financial implications:

- ULPF statutory increases were funded by ULPF.
- A ULPF 5% one off consolidated increase funded by the Scheme would increase the pensioner payroll by approximately £195.5k per annum and increase the liabilities by £2.5m.
- An Ex-Gratia 5% consolidated increase would increase the pensioner payroll by £1,413 per annum over the relevant lifetime of the pensioners, to be funded by the University.

There was a significant surplus within the scheme to cover the increase. The Pensions Sub-Group supported this proposal without any amendments.

AGREED:

- iv. The action taken by the President on Council's behalf as outlined in 3ii above and the action taken by the Pensions Sub-Group as outlined in 3iii above should be endorsed.

ITEMS FOR APPROVAL/DISCUSSION/NOTE

5. President's Communications

RECEIVED and NOTED:

- i. An oral report from the President of Council covering her attendance at recent meetings of the Committee of University Chairs (National and Northern Groups).

6. Clerk to Council's Communications

RECEIVED and NOTED:

- i. An oral report from the Clerk to Council.
- ii. The class action seeking compensation for online teaching during the pandemic and the effect of exam marking boycotts by striking lecturers continued. The UCL test case would be resubmitted to the High Court in June and the potential cost implications were unknown at this stage.
- iii. The Health and Safety Executive (HSE) had concluded their investigation into the fatality at Woodpark Farm and had confirmed that they would not be taking legal action against the University. The inquest would take place in July and Council would be briefed on the outcome of this.

7. Vice-Chancellor's Communications

RECEIVED:

- i. A report from the Vice-Chancellor on University, sector wide and political news, covering:

University Updates

- Staff survey
- REC Action Plan
- Athena Swan
- Staff Awards
- Real Living Wage
- Family Friendly Policies
- National Student Survey
- Summer Internships in US for Law Students
- Taicang 2+1+1
- QS World Subject Rankings
- Hong Kong Trip
- Research Frontiers

Higher Education Sector and Political Updates

- Protest on Abercromby Square
- MAC Review
- Investment Zone/MIPIM Update
- Leahurst Stakeholder Event
- Heseltine Institute's Manifesto for the Liverpool City Region
- Visit from DBT Chief Scientific Adviser.

REPORTED:

- ii. Whilst the encampment on Abercromby Square had remained peaceful, there had been a few examples recently of escalation. Campus Support continued to monitor the situation closely. Activity elsewhere in the sector had suggested that disruption of University events was an increasing possibility. The University's recent communication to its staff and students had been shared with Council members.
- iii. The Home Office and the Department for Education had provided the government's initial response to the Migration Advisory Committee (MAC) review of the Graduate route, which had confirmed that no dramatic action was to be taken on post-study work allowances for now. This was a positive step for the sector.
- iv. International student recruitment remained a challenge for the whole sector. At the University numbers from XJTLU were down on plan. It was hoped that

the outcome of the MAC review would support recovery in international student recruitment.

- v. The sector continued to operate within a challenging financial environment. The Office for Student's annual assessment of financial sustainability of HE providers in England had recently been published, and had confirmed that overall, providers were forecasting deterioration in their short- to medium-term financial outlook.
- vi. Internally, the University was forecasting a £1.5m surplus against an original plan of £14.4m. Tuition fee income was down, mainly relating to OSI PGT numbers. Continued close monitoring of both pay and non-pay costs for the next few months would be crucial to ensure the University achieved a surplus.
- vii. The University had confirmed the appointment of its new Chief Operating Officer, who was due start on 7 October 2024.
- viii. The University had achieved a number of positive improvements in University league table performance, with an increase of 11 places in the QS World University Rankings 2025, to 165th. The University also rose six places to 18th in the Complete University Guide ranking.

8. Liverpool Guild of Students Update

RECEIVED and NOTED:

- i. An oral update from the Vice-President of the Liverpool Guild of Students on the Abercomby Square protest, the recent Guild Awards, and the current examinations and assessments period.
- ii. The Guild Officers for 2024/25 had been confirmed as Rowan Bradbury (President), Jitendra Mohan Inturi, Othman Ibrahim and Holly Thompson.

9. Strategic Risk Register

[The Director of Strategic Planning, Phil Hopwood, attended for this item.]

RECEIVED:

- i. The University's Strategic Risk Register.

REPORTED:

- ii. The register was now shown as a '*Risk on a Page*' for each risk, incorporating (where appropriate) elements of *Liverpool 2031* implementation for assurance and forecasting.

- iii. Following feedback from Council, the naming convention used for Risk Appetite had been updated to: **Open** to taking risk (previously named 'High'); **Balanced** approach to take risk (previously named 'medium'); and **Cautious** view of taking risk (previously named 'low').
- iv. Also, the Risk Appetite for three risks (Research Quality, Income & Impact, Student Recruitment and Infrastructure) had been changed to Open (previously Balanced).

NOTED:

- v. The four 'deep-dives' for academic year were proposed as: Financial Sustainability; Research and Impact; Student Recruitment; and Infrastructure. Staff Recruitment and Retention, and Capacity to Deliver Transformation were the other proposed 'focussed' risks.
- vi. A number of typos had been identified in the document that would be addressed.
- vii. Council's next review of the Risk Register would take place in September. The Register would be reviewed by SLT in advance of this.

AGREED:

- viii. Cyber security should replace Research and Impact in the list of four 'deep dives' for next academic year. The University's Research and Impact Committee would have oversight of research related risks.
- ix. Overall Council welcomed the new approach to the Strategic Risk Register. The Register should be approved, subject to incorporating the feedback above.

10. Update on Research and Impact Pillar of Liverpool 2031

RECEIVED and NOTED:

- i. A presentation from the PVC for Research and Impact on the development of the University three research frontiers (Particle Physics, Materials Discovery, Therapeutics Innovation), plus the Interdisciplinary Centre for Sustainability Research, and how this activity would support the delivery of Liverpool 2031.
- ii. The establishment of a number of Research Frontiers directly supported the strategic objectives of further developing the University's unique, world-leading research strengths. Leads had now been appointed for each of the Frontiers and business plans would be developed in the near future. The University's Research and Impact Committee would provide institutional oversight to their implementation moving forward.

- iii. The University's Research fellowship scheme 2023/24 had been very successful and had attracted an excellent range of candidates.
- iv. This was a welcomed presentation. A further update should be presented to Council at a later date, once the Frontiers were further embedded.

11. Freedom of Speech and Academic Freedom and Prevent Briefing

[The Director of Student Life, Dr Paula Harrison, attended for this item.]

RECEIVED:

- i. A presentation providing an update on the Prevent Duty and Council's obligations, changes to Freedom of Speech legislation and the incoming regulatory role of the Office for Students from 1 August 2024, plus an overview of local context.
- ii. The Prevent duty aimed to safeguard people from becoming terrorists or supporting terrorism. The role of the OfS was to monitor what higher education providers did to prevent people being drawn into terrorism.
- iii. The Freedom of Speech Act placed new legal requirements on universities in relation to Freedom of Speech, including:
 - a. A new OfS condition of registration relating to free speech and academic freedom;
 - b. New free speech duties, including a duty for universities to promote freedom of speech;
 - c. An extension to the OfS regulation on free speech to apply directly to Students' Unions;
 - d. A new complaints scheme, run by the OfS, to consider free speech complaints about universities or relevant Students' Unions – from students, staff and visiting speakers;
 - e. Prohibition of non-disclosure agreements in complaints relating to harassment and sexual misconduct;
 - f. A new role of Director for Freedom of Speech and Academic Freedom;
 - g. The introduction of a statutory tort for breach of the free speech duty;
 - h. The OfS would have the power to monitor overseas funding received by HE Institutions, with a view to assess the extent to which such funding might present a risk to free speech and academic freedom.
- iv. Whilst the University had established good practice in this area, SLT had approved the establishment of a University working group to oversee an institutional response to identifying and updating any areas of University provision connected to the HE (Freedom of Speech) Act 2023, and incoming OfS

regulatory powers. The University's revised Policy and Code of Practice Regarding Freedom of Speech would be presented to Council in July.

- v. The new Act and regulation posed potential challenges for institutions in upholding both their responsibilities around Freedom of Speech and Equality, which could potentially conflict at times.

12. Access and Participation Plan (APP) 2025-2029

[The Director of Global Student Recruitment, Admissions and Widening Participation, Ian Roberts, and the Head of Strategic Insights, Russell Cahill, attended for this item.]

RECEIVED:

- i. A copy of the University's draft APP, plus a presentation summarising the key headlines.

REPORTED:

- ii. The APP was a regulatory requirement for the University and focussed on UK undergraduate students. Therefore, this piece of work was not reflective of the University's wider work and support around access, participation and progression, which encompassed different cohorts across the University. This APP would cover the reporting period 2025 - 2029 and retained an emphasis on ensuring under-represented students both entered the University, and also succeeded on their course and post-completion.
- iii. The deadline for submission of the University's APP to the OfS was 31 May 2024. Following this, the OfS would review submissions and potentially engage with providers with follow up questions prior to approving.
- iv. Students' unions and representatives could also submit a student submission to comment on how they had been consulted with and involved in their provider's access and participation work.
- v. As in the current APP (2020-25), targets needed to cover key stages of the lifecycle and the University had developed six targets for the new APP 2025-2029, as follows:
 - *Paragraph redacted due to commercial sensitivity.*

NOTED:

- vi. Whilst the APP was a regulatory requirement, the University's submission had retained a focus on delivering in the best interests of its students. The targets set by the University were considered appropriately ambitious.

- vii. A query was raised on the University's approach to supporting care experienced students. This was very much part of the University core widening participation work and the University had been awarded a national quality mark recognising its high standards of support for care experienced students.
- viii. The student representatives would like University bursaries to be increased to reflect recent challenges caused by the cost of living crisis. As part of Liverpool 2031, the University hoped to be able to raise additional income through fundraising activity, which could in turn further support its bursary work.

AGREED:

- ix. The APP should be approved and submitted to the Office for Students.

13. University and Health and Safety Update

[University Safety Adviser, Steve Dunkley, attended for this item.]

RECEIVED and NOTED:

- i. A presentation providing an update on Health and Safety matters and covering: a planned governance review; Wood Park Farm fatality; recent and upcoming audits and inspections; staff training; and KPI data.
- ii. The University's KPIs used in health and safety performance monitoring were being amended to more closely align with HASMAP (Health and Safety Management Profile).
- iii. The Health and Safety Executive had confirmed that no further action would be taken against the University over the Wood Park Farm fatality. The University would focus on implementing a range of lessons learned. The inquest into the fatality was scheduled for July 2024.
- iv. A new health and safety training programme for 2024/25 was currently being created, including a new senior leader and manager course.

REPORTS FROM COUNCIL'S COMMITTEES

14. Senate

RECEIVED and NOTED:

- i. A report on the meeting of the Senate held on 20 March 2024, covering the following items:

- Access and Participation Plan (*dealt with as a substantive item by Council – see minute 12 above*)
 - Intellectual Property Policy and Spinout Guidelines
 - Additional Senate Meeting
 - Briefing on Higher Education (Freedom of Speech) Act 2023
 - Advance HE Academic Governance Collaborative Project Update
 - Student Complaints & Compliance Matters
 - Annual Complaints Monitoring Report for the Academic Session 2022/23
 - Academic Compliance Report for the Academic Session 2022/23
 - Reports from Senate’s Committees: Education Committee and Research and Impact Committee.
- ii. An additional, special meeting of Senate had been held on 22 May to enable Senate members to discuss in detail the emerging thinking around the Curriculum Review Project, including any potential changes to the existing credit structure. This had been a positive meeting, with the final outcome being to not take forward the proposal relating to a change in credit structure, but approval and support to take forward the proposals relating to the Institutional Learning Framework and programme structure (timetabling).

15. Audit Committee

RECEIVED:

- i. A report on the meeting of the Audit Committee held on 9 April 2024, covering; Internal Audit Update; External Audit Update; and Statutory Returns.

NOTED:

- ii. No high-risk audit outcomes were recorded during the reporting period, the following two medium risks were reported:
- a. Health and Safety
 - The risk rating was due to findings within the Radiation Protection Office. All actions arising from the review had been accepted and were due for completion by 30 September. Audit Committee was reassured that the role of Radiation Supervisor was well established, but enhancement of processes would improve practice in this area.
 - b. Staff Retention
 - Audit Committee agreed that the issues in this area lay with documentation and formulation of succession planning, but did not agree that there was an issue with retaining staff.

16. Finance and Resources Committee

RECEIVED:

- i. A report on the meeting of the Finance and Resources Committee held on 22 March 2024 covering the following items:
 - Vice-Chancellor's Update
 - Student Recruitment Update
 - Liverpool 2031 – Strategic Risks
 - Strategic Performance
 - Strategy Implementation Progress Report
 - Liverpool 2031 – Supporting Performance Metrics and Targets
 - Progress Update on Employee Value Proposition
 - Brief Update on Plans to Launch All Staff Survey
 - Student Accommodation: Update on Development of Options to Meet Growth Demand, March 2024
 - Liverpool University Press (LUP) Annual Report 2023
 - Intellectual Property Policy and Spinout Guidelines.

NOTED:

- ii. The University was exploring options to align future student accommodation demand with its growth strategy. Its approach would likely involve diversifying the types of accommodation options it held, and the University would ensure that the Guild of Students had opportunities to input into any decision making.

17. Health and Safety Governance Committee (HSGC)

RECEIVED and NOTED:

- i. A report on the meeting of HSGC held on 7 May 2024, covering the following:
 - Annual Review of the University's Health and Safety Policy
 - Institutional Health, Safety & Wellbeing Plan
 - FRCS Annual Compliance Report 2024
 - Local Management of Health & Safety: Architecture
 - Radiation Protection Office: PwC Audit
 - Fire Safety Update
 - Wood Park Farm Fatality – HSE Report
 - Safety Adviser's Update.

AGREED:

- ii. The revised University Health and Safety Policy should be approved.

18. Date of Next Meeting

NOTED:

- i. The next meeting would be held at 2pm on Wednesday 10 July 2024.

Post Meeting Note: *Following the meeting, the timing of the July meeting had been amended to now start at 12.30pm.*